THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No:16556 of 2007

DATED:03-08-2007

BETWEEN:

Gudidevuni Ashok Kumar.

..... PETITIONER

AND

The Superintendent of Police,
Karimnagar District & another.

.....RESPONDENTS

-
-

ORDER:

Heard learned counsel appearing for the petitioner as well as the learned Government Pleader for Home appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the action of the 1st respondent in not taking any action against the 2nd respondent herein for summoning the petitioner to the police station time and again, visiting the house of the petitioner day-in and day-out, and extending severe threats to implicate the petitioner in false criminal cases without there being any crime registered against him, as illegal, and arbitrary.

3. It is stated that the petitioner herein filed W.P.No.15264 of 2007 to declare the action of the 2nd respondent in summoning him to the police station time and again, visiting the house of the petitioner day-in and day-out, and extending severe threats to implicate him in false criminal cases without there being any crime registered against him, as illegal, and the same was dismissed on 19-07-2007 on the ground that if really there was any illegal action on the part of the 2nd respondent, petitioner could have made a representation or complaint before the superior officials, but without taking such an action no writ of mandamus can be issued. Petitioner now submits that he could not enclose the copy of the

representation said to have been made before the 1st respondent and therefore he filed this Writ Petition to direct the 1st respondent to take appropriate action against the 2nd respondent. It is not stated on which date the said representation has been filed, and there is no acknowledgment of filing the said representation. Therefore,

I am of the opinion that the question of directing the 1st respondent to consider and dispose of the representation, dated 12-05-2007, does not arise, but however if there is any illegal action, even now, it is open for the petitioner either to make a complaint against the illegal action of the 2nd respondent before the superior officials for taking appropriate disciplinary action against the 2nd respondent or file a private complaint before the criminal Court about the illegal action on the part of the 2nd respondent.

4. Accordingly, Writ Petition is dismissed. No order as to costs.

_____

V.ESWARAIAH,J

03rd August, 2007.

Tsy